

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68598 of 2021

Arising Out of PS. Case No.-15 Year-2012 Thana- C.B.I CASE District- Patna

=====

AJAY KUMAR JAISWAL Son of Lakshmi Prasad Jaiswal @ Laxmi Prasad Jaiswal Resident of village - Jagdamba Palace Road, P.O. and P.S.- Lakhisarai, District - Lakhisarai. At present residing at Mohalla - Hathsarganj, Ward No.- 2, Near Jamunilal College, P.S. and Town - Hajipur, District - Vaishali.

... .. Petitioner/s

Versus

1. The Union of India through Superintendent of Police, Central Bureau Investigation, Patna. Bihar
2. The Chief Manager, Punjab National Bank, SME Branch, East Boring Canal Road, Patna. Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ansul, Adv.
		Mr.Madhav Raj, Adv.
For the Opposite Party/s :		Mr. Avnish Kumar Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 13-07-2022 Heard Mr. Ansul, learned counsel for the petitioner, Mr. Avnish Kumar Singh, learned counsel for the C.B.I. and learned counsel for Punjab National Bank.

Petitioner has renewed his prayer for regular bail in connection with Special Case No. 08 (A) of 2012 arising out of FIR No. P.S. CBI / ACB R.C. 02320 12A 0015 registered under Section 420 , 409 , 467, 468, 471 and 120B of the IPC and Section 13 (2) read with Section 13 (1)(c) & (d) of the Prevention of Corruption Act, 1988 inasmuch as earlier the bail application of the petitioner was rejected by this court vide order dated 02 / 12 / 2020 with liberty to the petitioner to renew his



prayer for bail after 09 months if the trial does not show any progress.

Learned counsel for the petitioner submits that petitioner is in custody since 27 / 02 / 2020 i.e. for more than 2 year 4 months. He next submits that the trial has not progressed substantially and out of 28 charge sheeted witnesses only one (01) witness has been examined and the case is based primarily on documentary evidence. He further submits that there is no likelihood that the petitioner will abscond and / or tamper with the evidence if released on bail.

On the other hand, learned counsel for the C.B.I. submits that the petitioner has a history of absconding and while granting bail this court may impose adequate conditions in the bail order.

Having heard learned counsel for the parties and taking into consideration the period of custody of the petitioner and the fact that trial has not registered any substantial progress after rejection of the bail application of the petitioner, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) each with two sureties of the like amount each to the



satisfaction of learned Special Judge-1, CBI, Patna in connection with Special Case No. 08 (A) of 2012 arising out of FIR No. P.S. CBI / ACB R.C. 02320 12A 0015 subject to the following condition:-

(I) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled

(II) that at the time of furnishing bail bond the petitioner shall furnish his mobile no. and keep the same in working condition till the disposal of the trial

(III) that on the first Friday of every month the petitioner shall report physically before the Superintendent of Police, C.B.I., Patna.

(IV) that the petitioner shall deposit his passport in the trial court and shall not leave the country without permission of the trial court.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

